

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

v.

GIUSEPPE TORRENTE
Defendant

CRIMINAL NO. 04-MJ-01809-CBS

GOVERNMENT'S TO MOTION FOR CONTINUANCE AND TO EXCLUDE TIME

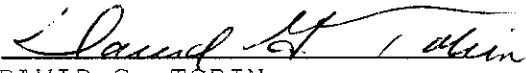
Now comes the United States, by its attorneys, Michael J. Sullivan, United States Attorney, and David G. Tobin, Assistant U.S. Attorney, and hereby moves for a continuance of the defendant's preliminary hearing and to exclude from all Speedy Trial Act calculations the period of time from July 15, 2004 (the date of the defendant's initial appearance) to and including the date of the preliminary examination in this matter.

At the defendant's initial appearance on July 15, 2004, the court released the defendant with conditions and scheduled the preliminary hearing for August 4, 2004. Prior to the date of the preliminary hearing, upon the request of counsel, the court postponed the preliminary hearing. A new date for the preliminary hearing has not been selected. The undersigned believes that the defendant's attorney seeks a date in September for the preliminary hearing. The government is prepared to conduct the preliminary hearing immediately, but has no objection to a September date. The requested delay is in the interests of justice and outweighs the best interests of the public and the

defendant in a speedy trial.

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

By: 
DAVID G. TOBIN
Assistant U.S. Attorney

August 11, 2004

CERTIFICATE OF SERVICE

I, David G. Tobin, do hereby certify that a copy of the foregoing was served by mail on counsel for the defendant, Stephen D. Judge, Esq., on August 11, 2004.

A handwritten signature in blue ink, reading "David G. Tobin", is written over a horizontal line.

DAVID G. TOBIN
ASSISTANT UNITED STATES ATTORNEY